



ENTERED  
02/06/2019

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

BURKHALTER RIGGING, INC., *et al.*,<sup>1</sup>

Debtors.

§  
§ Chapter 11  
§  
§ Case No. 19-30495 (MI)  
§  
§ (Jointly Administered)  
§ Re: Docket No. 7

**ORDER (I) AUTHORIZING CONSOLIDATED CREDITORS LISTS,  
(II) AUTHORIZING REDACTION OF CERTAIN PERSONAL IDENTIFICATION  
INFORMATION, (III) APPROVING THE FORM AND MANNER OF  
NOTIFYING CREDITORS OF THE COMMENCEMENT OF  
THE CHAPTER 11 CASES AND OTHER INFORMATION**

Upon the motion (the “Motion”)<sup>2</sup> of the above-captioned debtors-and-debtors in possession (collectively, the “Debtors”) for entry of an order (this “Order”), (a) authorizing the Debtors to file a consolidated creditor matrix and list of the 20 largest general unsecured creditors, (b) authorizing the Debtors to redact certain personal identification information for individual creditors, and (d) approving the form and manner of notice of commencement of these chapter 11 cases and the scheduling of the meeting of creditors under section 341 of the Bankruptcy Code, all as more fully set forth in the Motion; and upon the First Day Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors’

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Burkhalter Rigging, Inc. (8314); Burkhalter Specialized Transport, LLC (1511); Burkhalter Transport, Inc. (2096). The address for all of the Debtors is 16525 FM 521 Rosharon, TX 77583.

<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the motion.

estates, their creditors, and other parties in interest; and this Court having found that the Debtors' notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Debtors are authorized to file a single consolidated Creditor Matrix for all of these chapter 11 cases.
2. The Debtors are authorized to file a consolidated Top 20 List.
3. The requirement set forth in Bankruptcy Rule 2002(d) to provide notice to equity holders of the commencement of these chapter 11 cases or an order for relief is hereby waived.
4. The Debtors are authorized to redact address information of individual creditors listed on the Creditor Matrix; *provided*, that the Debtors shall file an un-redacted version under seal and provide an un-redacted version of the Creditor Matrix to the Court, the U.S. Trustee, and any official committees appointed in these chapter 11 cases.
5. The Debtors are authorized to serve the Notice of Commencement, substantially in the form attached hereto as **Exhibit A**, on the Creditor Matrix. Service of the Notice of Commencement shall be deemed adequate and sufficient notice of: (a) the commencement of these chapter 11 cases; and (b) the scheduling of the meeting of creditors under section 341 of the Bankruptcy Code.

6. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a) and the Bankruptcy Local Rules are satisfied by such notice.


7. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon its entry.

8. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

9. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Signed:

February 06, 2019



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Marvin Isgur  
United States Bankruptcy Judge

**Exhibit A**

**Proposed Notice of Commencement**

**Information to identify the case:**

Debtor: BURKHALTER RIGGING, INC. EIN: 64-0538314  
Name

United States Bankruptcy Court for the Southern District of Texas

Case Number: 19-30495 (MI) Date case filed for Chapter 11: 01/31/2019

**Official Form 309F (For Corporations or Partnerships)****Notice of Chapter 11 Bankruptcy Case**

12/17

**For the debtor listed above, a case has been filed under chapter 11 of the Bankruptcy Code. An order for relief has been entered.**

**This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.**

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from the debtor by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 11 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

**Do not file this notice with any proof of claim or other filing in the case.**

**1. Debtors' full name: See chart below.**

**List of Jointly Administered Cases**

NO.	DEBTOR	ADDRESS	CASE NO.	EIN #
1	Burkhalter Rigging, Inc.	2193 Hwy 45S, Columbus, MS 39701; Mailing Address – PO Box 9360 Columbus, MS 39705	19-30495 (MI)	64-0538314
2	Burkhalter Specialized Transport, LLC	2193 Hwy 45S, Columbus, MS 39701; Mailing Address – PO Box 9360 Columbus, MS 39705	19-30497 (MI)	03-0401511
3	Burkhalter Transport, Inc.	2193 Hwy 45S, Columbus, MS 39701; Mailing	19-30496 (MI)	64-0822096

		<b>Address – PO Box 9360 Columbus, MS 39705</b>		
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<b>2. All other names used in the last 8 years: <u>None.</u></b>		
<b>3. Address: See chart above.</b>		
<b>4. Debtors' attorneys:</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Marcus A. Helt (TX 24052187)  <b>FOLEY GARDERE</b>  Foley &amp; Lardner LLP  2021 McKinney Avenue  Suite 1600  Dallas, TX 75201  Telephone: (214) 999-3000  Facsimile: (214) 999-4667  Email: mhelt@foley.com</p> <p>-and-</p> <p>Jack G. Haake (<i>Pro Hac Vice pending</i>)  <b>FOLEY &amp; LARDNER LLP</b>  Washington Harbour  3000 K Street, N.W., Suite 600  Washington, D.C. 20007-5109  Telephone: (202) 295-4085  Facsimile: (202) 672-5399  Email: jhaake@foley.com</p> </div> <div style="width: 45%;"> <p>Debtors' notice and claims agent (for court documents and case information inquiries):</p> <p><b>If by First-Class Mail:</b>  Burkhalter Rigging, Inc.  c/o Stretto  8269 E. 23<sup>rd</sup> Avenue, Suite 275  Denver, CO 80238</p> <p><b>If by Hand Delivery or Overnight Mail:</b>  Burkhalter Rigging, Inc.  c/o Stretto  8269 E. 23<sup>rd</sup> Avenue, Suite 275  Denver, CO 80238</p> <p>U.S. Toll-Free: 855-812-6112  International: 855-812-6112  Email: <a href="mailto:teamburkhalter@stretto.com">teamburkhalter@stretto.com</a>  Case website: <a href="https://cases-cr.stretto.com/burkhalterrigging">https://cases-cr.stretto.com/burkhalterrigging</a>.</p> </div> </div>		
<b>5. Bankruptcy Clerk's Office</b>  Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <a href="http://www.pacer.gov">www.pacer.gov</a>	<b>United States Courthouse</b> <b>515 Rusk Avenue</b> <b>Houston, Texas 77002</b>  All documents in this case are available free of charge on the website of the Debtors' notice and claims agent at <a href="http://www.jndla.com/cases/burkhalter">www.jndla.com/cases/burkhalter</a> .	<b>Hours Open: Monday - Friday</b> <b>8:00 AM - 5:00 PM</b> <b>Contact phone: 713-250-5500</b>
<b>6. Meeting of Creditors</b>  The debtor's representative must attend the meeting to be questioned under oath. Creditors may attend, but are not required to do so.	<b>Time and Date to be Determined</b> February 28, 2019 at 1:00 p.m.	<b>Location:</b> 515 Rusk Street Houston, Texas 77002
<b>7. Proof of claim deadline:</b>	<b>Deadline for filing proof of claim:</b>  A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at <a href="http://www.uscourts.gov">www.uscourts.gov</a> or any bankruptcy clerk's office.  Your claim will be allowed in the amount scheduled unless: Your claim is designated as disputed, contingent or unliquidated; You file a proof of claim in a different amount; or You receive another notice	May 29, 2019 for general creditors and July 30, 2019 for Governmental units.

	<p>If your claim is not scheduled or if your claim is designated as disputed, contingent, or unliquidated, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.</p> <p>You may review the schedules at the bankruptcy clerk's office or online at <a href="http://www.pacer.gov">www.pacer.gov</a></p> <p>Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.</p>
<p><b>8. Exception to discharge deadline</b></p> <p>The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline.</p>	<p>You must start a judicial proceeding by filing a complaint if you want to have a debt excepted from discharge under 11 U.S.C. § 1141(d)(6)(A).</p> <p><b>Deadline for filing the complaint: To be Determined</b></p>
<b>9. Creditors with a foreign address</b>	<p>If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.</p>
<b>10. Filing a Chapter 11 bankruptcy case</b>	<p>Chapter 11 allows debtors to reorganize or liquidate according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan and a disclosure statement telling you about the plan, and you may have the opportunity to vote on the plan. You will receive notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the property and may continue to operate its business.</p>
<b>11. Discharge of debts</b>	<p>Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See 11 U.S.C. § 1141(d). A discharge means that creditors may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge under 11 U.S.C. § 1141(d)(6)(A), you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.</p>